



## DEPARTMENT OF THE AIR FORCE

21ST SPACE WING (AFSPC)

9 May 2007

### MEMORANDUM FOR MILITARY FAMILY HOUSING TENANT

FROM: 21 MSG/CC

SUBJECT: Installation Commander's Authority in Privatized Housing

1. Welcome to the Peterson AFB military family housing, by Tierra Vista Communities. In this era of lean Air Force funding, we are pleased to be able to provide you with commercial quality homes and carefree maintenance, at the same time providing all of the convenience and peace of mind unique to living on base, in a military community. While Tierra Vista owns and operates our military family housing, the housing area itself remains a part of Peterson AFB, and is still subject to the authority of the Installation Commander, including for purposes of law enforcement.

2. The Installation Commander has the inherent authority and obligation to ensure good order and discipline on the Installation. The Military Rules of Evidence recognize the power of the Installation Commander to authorize searches of military property and property situated on a military installation. Paragraph 15 of the lease you will sign with Tierra Vista Communities contains a notice that the authority of the Installation Commander is not impaired by the fact that our housing has been privatized. All of the housing area (including, without limitation, the Unit) is under military control and is subject to the Installation Commander's authority. This includes but is not limited to:

- The authority to provide force protection and police protection services in accordance with 10 U.S.C. § 2872a at levels deemed appropriate by the Commander for on-base privatized housing;

- The authority to promulgate and enforce security regulations, including traffic regulations and on-base driving privileges; and to restrict public access to the Installation, to include regulations delineating parameters for authorized entry to or exit from the Installation, pursuant to 50 U.S.C. § 797;

- The authority to conduct background checks with regard to housing residents and visitors to privatized housing who require access to the Installation, pursuant to 50 U.S.C. § 797;

- The authority to bar individuals for misconduct, or whose presence disrupts good order and discipline, to include individuals residing in on-base privatized housing and any subsequently severed privatized housing, from the Installation pursuant to 18 U.S.C. § 1382;

- The authority to conduct inspections or searches of individuals entering, leaving or present on the Installation pursuant to Military Rule of Evidence 314, 10 U.S.C. § 802 et seq. and 50 U.S.C. § 797;


- The authority to issue search authorizations based on probable cause on the Installation pursuant to Military Rule of Evidence 315, 10 U.S.C. § 802 et seq. and 50 U.S.C. § 797;

- The authority to conduct disaster exercises and/or emergency recovery operations on the Installation in accordance with 50 U.S.C. § 797 and Department of Defense Directive 5200.8, or any successor authority;

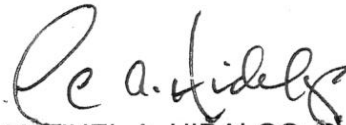
- The authority to exercise emergency health powers on the Installation pursuant to Department of Defense Directive 6200.3, or any successor authority, in the event of a public health emergency due to biological warfare, terrorism or other communicable disease epidemic.

3. If you have lived in military family housing in the past, you are familiar with the authorities and responsibilities of the Installation Commander as they pertain to military family housing, outlined above. The fact that privatized housing remains a part of Peterson AFB, and subject to the authority of the Commander, is one reason why our housing area will remain a pleasant, safe community for you and your family. If you have any questions about the enduring military character of your privatized housing, please discuss them with the Family Housing Office, or a legal assistance attorney. Otherwise, acknowledge you have read this letter and understand it, by the endorsement below.

5. Welcome home, to Tierra Vista Communities at Peterson AFB!



BOB MATHIS  
Vice President  
Air Force Project Director  
Tierra Vista Communities



MANUEL A. HIDALGO, Colonel, USAF  
Commander, 21 Mission Support Group

1<sup>st</sup> Ind, Privatized Housing Tenant

I have read and understand the notice that military family housing remains a part of the installation, and that the housing unit I am leasing remains subject to the authority and control of the Installation Commander.

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Date

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Printed Name, Rank, Unit, Duty Phone